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May 16 1837

SPEECH

DELIVERED

BY THE HON. HENRY CLAY,

IN THE HOUSE OF REPRESENTATIVES

OF

THE UNITED STATES,

ON

FRIDAY, THE EIGHTH DAY OF JANUARY, 1813,

ON THE

BILL FOR RAISING AN ADDITIONAL MILITARY FORCE

OF

TWENTY THOUSAND MEN

FOR ONE YEAR.



WASHINGTON CITY:

PUBLISHED AT THE OFFICE OF THE NATIONAL
INTELLIGENCER.

1813.

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SPEECH.

[*The House in committee of the whole, Mr. Bibb in the chair.*]

MR. H. CLAY (Speaker) said he was gratified yesterday by the recommitment of this bill to a committee of the whole House, from two considerations; one, since it afforded to him a slight relaxation from a most fatiguing situation, and the other, because it furnished him with an opportunity of presenting to the committee his sentiments upon the important topics which had been mingled in the debate. He regretted, however, that the necessity under which the chairman had been placed, of putting the question,* precluded him from an opportunity he had wished to have enjoyed of rendering more acceptable to the committee any thing he might have to offer on the interesting points it was his duty to touch. Unprepared, however, as he was to speak on this day, of which he was the more sensible from the ill state of his health, he would solicit the attention of the committee for a few moments.

I was a little astonished, I confess, said Mr. C. when I found this bill permitted to pass silently through the committee of the whole, and that, not until the moment when the question was about to be put for its third reading, was it selected as that subject on which gentlemen in the opposition, chose to lay before the House their views of the interesting attitude in which the nation stands. It did appear to me that the loan bill, which will soon come before us, would have afforded a much more proper occasion, it being more essential, as providing the ways and means for the prosecution of the war. But the gentlemen had the right of selection, and having exercised it, no matter how improperly, I am gratified, whatever I may think of the character of some part of the debate, at the latitude in which, for once, they have been indulged. I claim only, in return, of gentlemen on the other side of the House and of the committee a like indulgence, in expressing, with the same unrestrained freedom, my sentiments. Perhaps in the course of the remarks, which I may feel myself called upon to make, said he, gentlemen may apprehend that they assume too harsh an aspect. I have only now to say that I shall speak of parties, measures, and things, as they strike my moral sense, protesting against the imputation of any intention, on my part, to wound the feelings of any gentleman.

* The chairman had risen to put the question, which would have cut Mr. C. off from the chance of speaking, by returning the bill to the House. EDIT.

Considering the situation in which this country is now placed—in a state of actual war with one of the most powerful nations on the earth—it may not be useless to take a view of the past, of various parties which have at different times appeared in this country, and to attend to the manner by which we have been driven from a peaceful posture. Such an inquiry may assist in guiding us to that result, an honorable peace, which must be the sincere desire of every friend to America. The course of that opposition, by which the administration of the government had been unremittingly impeded, for the last twelve years, was singular, and, I believe, unexampled in the history of any country. It has been alike the duty and the interest of the administration to preserve peace. Their duty, because it is necessary to the growth of an infant people, their genius, and their habits. Their interest, because a change of the condition of the nation brings along with it a danger of the loss of the affections of the people. The administration has not been forgetful of these solemn obligations. No art has been left unessayed; no experiment, promising a favorable result, left untried, to maintain the peaceful relations of the country. When, some six or seven years ago, the affairs of the nation assumed a threatening aspect, a partial non-importation was adopted. As they grew more alarming an embargo was imposed. It would have attained its purpose, but it was sacrificed upon the altar of conciliation. Vain and fruitless attempt to propitiate! Then came a law of non-intercourse; and a general non-importation followed in the train. In the meantime, any indications of a return to the public law and the path of justice, on the part of either belligerent, are seized with avidity by administration—the arrangement with Mr. Erskine is concluded. It is first applauded and then censured by the opposition. No matter with what unfeigned sincerity administration cultivates peace, the opposition will insist that it alone is culpable for any breach between the two countries. Because the President thought proper, in accepting the proffered reparation for the attack on a national vessel, to intimate that it would have better comported with the justice of the King (and who does not think so?) to punish the offending officer, the opposition, entering into the royal feelings, sees in that imaginary insult abundant cause for rejecting Mr. Erskine's arrangement. On another occasion, you cannot have forgotten the hypercritical ingenuity which they displayed to divest Mr. Jackson's correspondence of a premeditated insult to this country. If gentlemen would only reserve for their own government half the sensibility which is indulged for that of Great Britain, they would find much less to condemn. Restriction after restriction has been tried—negotiation has been resorted to. until longer to have negotiated would have been disgraceful. Whilst these peaceful experiments are undergoing a trial, what is the conduct of the opposition? They are the champions of war—the proud—the spirited—the sole repository of the nation's honor—the exclusive men of vigor and energy. The administration, on

the contrary, is weak, feeble, and pusillanimous—"incapable of being kicked into a war." The maxim, "not a cent for tribute, millions for defence," is loudly proclaimed. Is the administration for negotiation? The opposition is tired, sick, disgusted with negotiation. They want to draw the sword and avenge the nation's wrongs. When, at length, foreign nations, perhaps, emboldened by the very opposition here made, refused to listen to the amicable appeals made, and repeated and reiterated by administration, to their justice and to their interests—when, in fact, war with one of them became identified with our independence and our sovereignty, and it was no longer possible to abstain from it, behold the opposition becoming the friends of peace and of commerce. They tell you of the calamities of war—its tragical events—the squandering away of your resources—the waste of the public treasure, and the spilling of innocent blood. They tell you that honor is an illusion! Now we see them exhibiting the terrific forms of the roaring king of the forest. Now the meekness and humility of the lamb! They are for war and no restrictions, when the administration is for peace. They are for peace and restrictions, when the administration is for war. You find them, sir, tacking with every gale, displaying the colors of every party, and of all nations, steady only in one unalterable purpose, to steer, if possible, into the haven of power.

During all this time the parasites of opposition do not fail by cunning sarcasm or sly innuendo to throw out the idea of French influence, which is known to be false, which ought to be met in one manner only, and that is by the *lie direct*. The administration of this country devoted to foreign influence! The administration of this country subservient to France! Great God! how is it so influenced! By what ligamen, on what basis, on what possible foundation does it rest? Is it on similarity of language? No! we speak different tongues, we speak the English language. On the resemblance of our laws? No! the sources of our jurisprudence spring from another and a different country. On commercial intercourse? No! we have comparatively none with France. Is it from the correspondence in the genius of the two governments? No! here alone is the liberty of man secure from the inexorable despotism which every where else tramples it under foot. Where then is the ground of such an influence? But, sir, I am insulting you by arguing on such a subject. Yet preposterous and ridiculous as the insinuation is, it is propagated with so much industry, that there are persons found foolish and credulous enough to believe it. You will, no doubt, think it incredible (but I have nevertheless been told the fact), that an honorable member of this House, now in my eye, has recently lost his election by the circulation of a story in his district, that he was the first cousin of the Emperor Napoleon. The proof of the charge was rested on a statement of facts which was undoubtedly true. The gentleman in question, it was alleged, had married a connexion of the lady of the President of the United States, who was the intimate friend of Thomas

Jefferson, late President of the United States, who some years ago was in the habit of wearing red French breeches. Now taking these premises as established, you, Mr. Chairman, are too good a logician not to see that the conclusion necessarily followed!

Throughout the period he had been speaking of, the opposition had been distinguished, amidst a'l its veerings and changes, by another inflexible feature—the application of every vile epithet which our rich language affords to Bonaparte. He has been compared to every hideous monster and beast, from that of the Revelations to the most insignificant quadruped. He has been called the scourge of mankind, the destroyer of Europe, the great robber, the infidel, and heaven knows by what other names. Really, gentlemen remind me of an obscure lady in a city not very far off, who also took it into her head, in conversation with an accomplished French gentleman, to talk of the affairs of Europe. She too spoke of the destruction of the balance of power, stormed and raged about the insatiable ambition of the Emperor; called him the curse of mankind, the destroyer of Europe. The Frenchman listened to her with perfect patience, and when she had ceased said to her, with ineffable politeness: Madame it would give my master, the Emperor, infinite pain, if he knew how hardly you thought of him!

Sir, gentlemen appear to me to forget that they stand on American soil; that they are not in the British House of Commons, but in the chamber of the House of Representatives of the United States; that we have nothing to do with the affairs of Europe. the partition of territory and sovereignty there, except in so far as these things affect the interests of our own country. Gentlemen transform themselves into the Burkes, Chathams, and Pitts of another country, and forgetting from honest zeal the interests of America, engage with European sensibility in the discussion of European interests. If gentlemen ask me if I do not view with regret and horror the concentration of such vast power in the hands of Bonaparte? I reply that I do. I regret to see the Emperor of China holding such immense sway over the fortunes of millions of our species. I regret to see Great Britain possessing so uncontrolled a command over all the waters of our globe. And if I had the ability to distribute among the nations of Europe their several portions of power and of sovereignty, I would say that Holland should be resuscitated and given the weight she enjoyed in the days of her Dewitts. I would confine France within her natural boundaries, the Alps, the Pyrennees, and the Rhine, and make her a secondary naval power only. I would abridge the British maritime power, raise Prussia and Austria to first rate powers, and preserve the integrity of the empire of Russia. But these are speculations. I look at the political transactions of Europe, with the single exception of their possible bearing upon us, as I do at the history of other countries or other times. I do not survey them with half the interest that I do the movements in South America. Our political relation is much less important than it is supposed to be. I have no fears of French or English subjugation.

If we are united, we are too powerful for the mightiest nation in Europe, or all Europe combined. If we are separated and torn asunder we shall become an easy prey to the weakest of them. In the latter dreadful contingency, our country will not be worth preserving

Next to the notice which the opposition has found itself called upon to bestow upon the French Emperor, a distinguished citizen of Virginia, formerly President of the United States, has never for a moment failed to receive their kindest and most respectful attention. An honorable gentleman from Massachusetts (Mr. Quincy), of whom I am sorry to say it becomes necessary for me, in the course of my remarks, to take some notice, has alluded to him in a remarkable manner. Neither his retirement from public office, his eminent services, nor his advanced age, can exempt this patriot from the coarse assaults of party malevolence. No, sir, in 1801, he snatched from the rude hands of usurpation the violated constitution of his country, and *that* is his crime. He preserved that instrument in form, and substance, and spirit, a precious inheritance, for generations to come, and for *this* he can never be forgiven. How impotent is party rage directed against him! He is not more elevated by his lofty residence, upon the summit of his own favorite mountain, than he is lifted, by the serenity of his mind, and the consciousness of a well spent life, above the malignant passions and the turmoils of the day. No! his own beloved Monticello is not less moved by the storms that beat against its sides than he hears with composure, if he hears at all, the howlings of the whole British pack set loose from the Essex kennel! When the gentleman to whom I have been compelled to allude shall have mingled his dust with that of his abused ancestors, when he shall be consigned to oblivion, or if he lives at all, shall live only in the treasonable annals of a certain junto, the name of Jefferson will be hailed as the second founder of the liberties of this people, and the period of his administration will be looked back to as one of the happiest and brightest epochs in American history. I beg the gentleman's pardon; he has secured to himself a more imperishable fame. I think it was about this time four years ago that the gentleman submitted to the House of Representatives an initiative proposition for an impeachment of Mr. Jefferson. The House condescended to consider it. The gentleman debated it with his usual *temper, moderation, and urbanity*. The House decided it in the most solemn manner, and although the gentleman had somehow obtained a second, the final vote stood, one for the proposition, 117 against it! The same historic page that transmitted to posterity the virtues and the glory of Henry the Great of France, for their admiration and example, has preserved the infamous name of the fanatic assassin of that excellent monarch. The same sacred pen that portrayed the sufferings and crucifixion of the Saviour of mankind has recorded, for universal execration, the name of him who was guilty, not of betraying his country, but (a kindred crime) of betraying his God!

In one respect there is a remarkable difference between administration and the opposition—it is in a sacred regard for personal liberty. When out of power my political friends condemned the surrender of Jonathan Robbins; they opposed the violation of the freedom of the press, in the sedition law; they opposed the more insidious attack upon the freedom of the person under the imposing garb of an alien law. The party now in opposition, then in power, advocated the sacrifice of the unhappy Robbins, and passed those two laws. True to our principles, we are now struggling for the liberty of our seamen against foreign oppression. True to theirs, they oppose the war for this object. They have indeed lately affected a tender solicitude for the liberties of the people, and talk of the danger of standing armies, and the burden of taxes. But it is evident to you, Mr. Chairman, that they speak in a foreign idiom. Their brogue betrays that it is not their vernacular tongue. What! the opposition, who in 1798 and 1799, could raise an useless army to fight an enemy 3000 miles distant from us, alarmed at the existence of one raised for a known specified object—the attack of the adjoining provinces of the enemy. The gentleman from Massachusetts, who assisted by his vote to raise the army of 25,000, alarmed at the danger of our liberties from this very army!

I mean to speak of another subject, which I never think of but with the most awful considerations. The gentleman from Massachusetts, in imitation of some of his predecessors of 1799, has entertained us with cabinet plots, presidential plots, which are conjured up in the gentleman's own perturbed imagination. I wish sir, that another plot of a much more serious kind—a plot that aims at the dismemberment of our Union, had only the same imaginary existence. But no man, who had paid any attention to the tone of certain prints, and to transactions in a particular quarter of the Union for several years past, can doubt the existence of such a plot. It was far, very far from my intention to charge the opposition with such a design. No, he believed them generally incapable of it. He could not say as much for some who were unworthily associated with them in the quarter of the Union to which he referred. The gentleman cannot have forgotten his own sentiment, uttered even on the floor of this House, "peaceably if we can, **FORCIBLY** if we must." In and about the same time Henry's mission to Boston was undertaken. The flagitiousness of that embassy had been attempted to be concealed by directing the public attention to the price which the gentleman says was given for the disclosure. As if any price could change the atrociousness of the attempt on the part of Great Britain, or could extenuate in the slightest degree the offence of those citizens, who entertained and deliberated upon the infamous proposition! There was a most remarkable coincidence between some of the things which that man states, and certain events in the quarter alluded to. In the contingency of war with Great Britain, it will be recollected that the neutrality and eventual separation of that section of the Union was to be brought about. How sir, has it happened, since the declara-

tion of war, that British officers in Canada have asserted to American officers that this very neutrality would take place? That they have so asserted can be established beyond controversy. The project is not brought forward openly, with a direct avowal of the intention. No, the stock of good sense and patriotism in that portion of the country is too great to be undisguisedly encountered. It is assailed from the masked batteries of friendship to peace and commerce on the one side, and by the groundless imputation of opposite propensities on the other. The affections of the people there are to be gradually undermined. The project is suggested or withdrawn; the diabolical parties, in this criminal tragedy, make their appearance or their exit, as the audience to whom they address themselves are silent, applaud, or hiss. I was astonished, sir, to have lately read a letter, or pretended letter, published in a prominent print in that quarter, written not in the fervor of party zeal, but coolly and deliberately, in which the writer affects to reason about a separation, and attempts to demonstrate its advantages to different sections of the Union, deploring the existence now of what he terms prejudices against it, but hoping for the arrival of the period when they shall be eradicated. But sir, I will quit this unpleasant subject; I will turn from one, whom no sense of decency or propriety could restrain from soiling the carpet on which he treads,* to gentlemen who have not forgotten what is due to themselves, the place in which we are assembled, nor to those by whom they are opposed. The gentlemen from North Carolina, (Mr. Pearson), from Connecticut, (Mr. Pitkin), and from New York, (Mr. Bleecker), have, with their usual decorum, contended that the war would not have been declared, but for the duplicity of France, in withholding an authentic instrument of repeal of the decrees of Berlin and Milan; that upon the exhibition of such an instrument the revocation of the orders in council took place; that this main cause of the war, but for which it would not have been declared, being removed, the administration ought to seek for the restoration of peace; and that upon its sincerely doing so terms compatible with the honor and interest of this country may be obtained. It is my purpose, said Mr. C. to examine, first into the circumstances under which the war was declared; secondly, into the causes for continuing it; and lastly, into the means which have been taken or ought to be taken to procure peace. But sir, I really am so exhausted that, little as I am in the habit of asking of the House an indulgence of this kind, I feel that I must trespass on their goodness. [*Here Mr. C. sat down. Mr. Newton moved that the committee rise, report progress, and ask leave to set again, which was done. On the next day he proceeded.*]

* It is due to Mr. C. to observe, that one of the most offensive expressions used by Mr. Q. an expression which produced disgust on all sides of the House, has been omitted in that gentleman's reported speech, which in other respects has been much softened. EDIT.

I am sensible, Mr. Chairman, that some part of the debate, to which this bill has given rise, has been attended by circumstances much to be regretted, not usual in this House, and of which it is to be hoped there will be no repetition. The gentleman from Boston had so absolved himself from every rule of decorum and propriety, had so outraged all decency, that I have found it impossible to suppress the feelings excited on the occasion. His colleague, whom I had the honor to follow (Mr. Wheaton), whatever else he might not have proven, in his very learned, ingenious, and original exposition of the powers of this government—an exposition in which he has sought, where no body before him has looked, and no body after him will examine, for a grant of our powers, the preamble to the constitution—has clearly shown, to the satisfaction of all who *heard* him, that the power is conferred of defensive war. I claim the benefit of a similar principle, in behalf of my political friends, against the gentleman from Boston. I demand only the exercise of the right of repulsion. No one is more anxious than I am to preserve the dignity and the liberality of debate—no member more responsible for its abuse. And if, on this occasion, its just limits have been violated, let him, who has been the unprovoked cause, appropriate to himself exclusively the consequences.

I omitted yesterday, sir, when speaking of a very delicate and painful subject, to notice a powerful engine which the conspirators against the integrity of the Union employ to effect their nefarious purpose—I mean Southern influence. The true friend to his country, knowing that our constitution was the work of compromise, in which interests apparently conflicting were attempted to be reconciled, aims to extinguish or allay prejudices. But this patriotic exertion does not suit the views of those who are urged on by diabolical ambition. They find it convenient to imagine the existence of certain improper influences, and to propagate with their utmost industry, a belief of them. Hence the idea of Southern preponderance—Virginia influence—The yoking of the respectable yeomanry of the north, with the negro slaves, to the car of Southern nabobs. If Virginia really cherished a reprehensible ambition, and aimed to monopolize the chief magistracy of the country, how was such a purpose to be accomplished? Virginia, alone, cannot elect a President, whose elevation depends upon a plurality of electoral votes, and a consequent concurrence of many states. Would Vermont, disinterested Pennsylvania, the Carolinas, independent Georgia, Kentucky, Tennessee, Ohio, Louisiana, all consent to become the tools of an inordinate ambition? But the present incumbent was designated to the office, before his predecessor had retired. How? By public sentiment—public sentiment which grew out of his known virtues, his illustrious services, and his distinguished abilities. Would the gentleman crush this public sentiment—is he prepared to admit that he would arrest the progress of opinion?

The war was declared because Great Britain arrogated to her-

self the pretension of regulating our foreign trade under the delusive name of retaliatory orders in council—a pretension by which she undertook to proclaim to American enterprise, “Thus far shalt thou go, and no farther”—orders which she refused to revoke after the alleged cause of their enactment had ceased; because she persisted in the practice of impressing American seamen; because she had instigated the Indians to commit hostilities against us; and because she refused indemnity for her past injuries upon our commerce. I throw out of the question other wrongs. The war in fact was announced, on our part, to meet the war which she was waging, on her part. So undeniable were the causes of the war—so powerfully did they address themselves to the feelings of the whole American people, that when the bill was pending before this House, gentlemen in the opposition, although provoked to debate, would not, or could not, utter one syllable against it. It is true they wrapped themselves up in sullen silence, pretending that they did not choose to debate such a question in secret session. Whilst speaking of the proceedings on that occasion, I beg to be permitted to advert to another fact that transpired—an important fact, material for the nation to know, and which I have often regretted had not been spread upon our journals. My honorable colleague (Mr. McKee) moved, in committee of the whole, to comprehend France in the war; and when the question was taken upon the proposition, there appeared but ten votes in support of it, of whom, seven belonged to this side of the House, and three only to the other!

It is said that we were inveigled into the war by the perfidy of France; and that had she furnished the document in time, which was first published in England, in May last, it would have been prevented. I will concede to gentlemen every thing they ask about the injustice of France towards this country. I wish to God that our ability was equal to our disposition to make her feel the sense we entertain of that injustice. The manner of the publication of the paper in question, was undoubtedly extremely exceptionable. But I maintain that, had it made its appearance earlier, it would not have had the effect supposed; and the proof lies in the unequivocal declarations of the British government. I will trouble you, sir, with going no further back, than to the letters of the British Minister, addressed to the Secretary of State, just before the expiration of his diplomatic functions. It will be recollected by the committee that he exhibited to this government a despatch from Lord Castlereagh, in which the principle was distinctly avowed, that to produce the effect of a repeal of the orders in council, the French decrees must be absolutely and entirely revoked as to all the world, and not as to America alone. A copy of that despatch was demanded of him, and he very awkwardly evaded it. But on the 10th of June, after the bill declaring war had actually passed this House, and was pending before the Senate and which I have no doubt was known to him, in a letter to Mr. Monroe, he says: “I have no hesitation, sir, in saying that Great Britain, as the case has hitherto stood, never did, nor ever could en-

gage without the greatest injustice to herself and her allies, as well as to other neutral nations, to repeal her orders as affecting America alone, leaving them in force against other states, upon condition that France would except singly and specially America from the operation of her decrees." On the 14th of the same month, the bill still pending before the Senate, he repeats: "I will now say, that I feel entirely authorised to assure you, that if you can at any time produce a *full and unconditional* repeal of the French decrees, as you have a right to demand it in your character of a neutral nation, and that it be disengaged from any question concerning our maritime rights. we shall be ready to meet you with a revocation of the orders in council. Previously to your producing *such* an instrument, which I am sorry to see you regard as unnecessary, you cannot expect of us to give up our orders in council." Thus, sir, you see that the British government would not be content with a repeal of the French decrees as to us only. But the French paper in question, was such a repeal. It could not, therefore, satisfy the British government. It could not, therefore, have induced that government, had it been earlier promulgated, to repeal the orders in council. It could not, therefore, have averted the war. The withholding of it did not occasion the war, and the promulgation of it, would not have prevented the war. But gentlemen have contended that, in point of fact, it did produce a repeal of the orders in council. This I deny. After it made its appearance in England, it was declared by one of the British ministry, in parliament, not to be satisfactory. And all the world knows, that the repeal of the orders in council, resulted from the inquiry, reluctantly acceded to by the ministry, into the effect upon their manufacturing establishments, of our non-importation law, or to the warlike attitude assumed by this government, or to both. But it is said, that the orders in council are done away, no matter from what cause; and that having been the sole motive for declaring the war, the relations of peace ought to be restored. This brings me into an examination of the grounds for continuing the war.

I am far from acknowledging, that, had the orders in council been repealed, as they have been, before the war was declared, the declaration would have been prevented. In a body so numerous as this is, from which the declaration emanated, it is impossible to say with any degree of certainty, what would have been the effect of such a repeal. Each member must answer for himself. I have no hesitation, then, in saying, that I have always considered the impressment of American seamen as much the most serious aggression. But, sir, how have those orders at last been repealed? Great Britain, it is true, has intimated a willingness to suspend their practical operation, but she still arrogates to herself the right to revive them upon certain contingencies, of which she constitutes herself the sole judge. She waves the temporary use of the rod, but she suspends it in *terrorem* over our heads. Supposing it was conceded to gentlemen that such a repeal of the orders in council, as took place on the 23d of June last, exceptionable as it

is, being known before the war, would have prevented the war, does it follow that it ought to induce us to lay down our arms, without the redress of any other injury? Does it follow, in all cases, that that which would have prevented the war in the first instance, should terminate the war? By no means. It requires a great struggle for a nation, prone to peace as this is, to burst through its habits and encounter the difficulties of war. Such a nation ought but seldom to go to war. When it does it should be for clear and essential rights alone, and it should firmly resolve to extort, at all hazards, their recognition. The war of the revolution is an example of a war began for one object and prosecuted for another. It was waged, in its commencement, against the right asserted by the parent country to tax the colonies. Then no one thought of absolute independence. The idea of independence was repelled. But the British government would have relinquished the principle of taxation. The founders of our liberties saw, however, that there was no security short of independence, and they achieved our independence. When nations are engaged in war those rights in controversy, which are not acknowledged by the treaty of peace, are abandoned. And who is prepared to say that American seamen shall be surrendered, the victims to the British principle of impressment? And, sir, what is this principle? She contends that she has a right to the services of her own subjects. That, in the exercise of this right, she may lawfully impress them, even although she finds them in our vessels, upon the high seas, without her jurisdiction. Now I deny that she has any right, without her jurisdiction, to come on board our vessels, upon the high seas, for any other purpose but in pursuit of enemies, or their goods, or goods contraband of war. But she further contends, that her subjects cannot renounce their allegiance to her and contract a new obligation to other sovereigns. I do not mean to go into the general question of the right of expatriation. If, as is contended, all nations deny it, all nations 'at the same time admit and practice the right of naturalization. Great Britain herself does. Great Britain, in the very case of foreign seamen, imposes, perhaps, fewer restraints upon naturalization than any other nation. Then if subjects cannot break their original allegiance, they may, according to universal usage, contract a new allegiance. What is the effect of this double obligation? Undoubtedly, that the sovereign having the possession of the subject would have the right to the services of the subject. If he return within the jurisdiction of his primitive sovereign, he may resume his right to his services, of which the subject, by his own act, could not divest himself. But his primitive sovereign can have no right to go in quest of him, out of his own jurisdiction, into the jurisdiction of another sovereign, or upon the high seas, where there exists either no jurisdiction, or it belongs to the nation owning the ship navigating them. But, sir, this discussion is altogether useless. It is not to the British principle, objectionable as it is, that we are alone to look. It is to her practice. No matter what guise she puts on. It is in vain to assert the inviolability of the obligation

of allegiance. It is in vain to set up the plea of necessity, and to allege that she cannot exist without the impressment of HER seamen. The naked truth is, she comes, by her press gangs, on board our vessels, seizes OUR native seamen, as well as naturalized, and drags them into her service. It is the case, then, of the assertion of an erroneous principle, and a practice not conformable to the principle—a principle which, if it were theoretically right, must for ever be practically wrong. We are told, by gentlemen in the opposition, that government has not done all that was incumbent on it to do to avoid just cause of complaint on the part of Great Britain—that, in particular, the certificates of protection, authorised by the act of 1796, are fraudulently used. Sir, government has done too much in granting those paper protections. I can never think of them without being shocked. They resemble the passes which the master grants to his negro slave, “Let the bearer, Mungo, pass and repass without molestation.” What do they imply? That Great Britain has a right to take all who are not provided with them. From their very nature they must be liable to abuse on both sides. If Great Britain desires a mark by which she can know her own subjects, let her give them an ear mark. The colors that float from the mast head should be the credentials of our seamen. There is no safety to us, and the gentlemen have shown it, but in the rule that all who sail under the flag (not being enemies) are protected by the flag. It is impossible that this country should ever abandon the gallant tars, who have won for us such splendid trophies. Let me suppose that the genius of Columbia should visit one of them in his oppressor’s prison, and attempt to reconcile him to his wretched condition. She would say to him, in the language of gentlemen on the other side, “Great Britain intends you no harm; she did not mean to impress you, but one of her own subjects; having taken you by mistake, I will remonstrate, and try to prevail upon her, by peaceable means, to release you, but I cannot, my son, fight for you.” If he did not consider this mockery, he would address her judgment and say, “You owe me, my country, protection; I owe you, in return, obedience. I am no British subject, I am a native of old Massachusetts, where live my aged father, my wife, my children. I have faithfully discharged my duty. Will you refuse to do yours?” Appealing to her passions, he would continue, “I lost this eye in fighting under Truxton, with the Insurgente; I got this scar before Tripoli; I broke this leg on board the Constitution, when the Guerriere struck.” If she remained still unmoved, he would break out, in the accents of mingled distress and despair,

Hard, hard, is my fate! once I freedom enjoyed,

Was as happy as happy could be!

Oh! how hard is my fate, how galling these chains!*

* It is impossible to describe the pathetic effect produced by this part of the speech. The day was chilling cold, so much so that Mr. C. has been heard to declare that it was the only time he ever spoke when he was unable to keep himself warm by the exercise of speaking; yet there were few eyes that did not testify to the sensibility excited. EDIT.

I will not imagine the dreadful catastrophe to which he would be driven by an abandonment of him to his oppressor. It will not be, it cannot be, that his country will refuse him protection.

It is said, that Great Britain has been always willing to make a satisfactory arrangement of the subject of impressment; and that Mr. King had nearly concluded one prior to his departure from that country. Let us hear what that minister says upon his return to America. In his letter dated at New York in July, 1803, after giving an account of his attempt to form an arrangement for the protection of our seamen, and his interviews to this end with Lords Hawkesbury and St. Vincent; and stating that, when he had supposed the terms of a convention were agreed upon, a new pretension was set up (the *mare clausum*), he concludes: "I regret not to have been able to put this business on a satisfactory footing, knowing as I do its very great importance to both parties; but I flatter myself that I have not misjudged the interests of our own country, in refusing to sanction a principle that might be productive of more extensive evils than those it was our aim to prevent." The sequel of his negotiation, on this affair, is more fully given in the recent conversation between Mr. Russell and Lord Castlereagh, communicated to Congress during its present session. Lord Castlereagh says to Mr. Russell:—

"Indeed there has evidently been much misapprehension on this subject, and an erroneous belief entertained that an arrangement, in regard to it, has been nearer an accomplishment than the facts will warrant. Even our friends in Congress, I mean those who were opposed to going to war with us, have been so confident in this mistake, that they have ascribed the failure of such an arrangement solely to the misconduct of the American government. This error probably originated with Mr. King, for being much esteemed here, and always well received by the persons in power, he seems to have misconstrued their readiness to listen to his representations, and their warm professions of a disposition to remove the complaints of America, in relation to impressment, into a supposed conviction on their part of the propriety of adopting the plan which he had proposed. But Lord St. Vincent, whom he might have thought he had brought over to his opinions, appears never for a moment to have ceased to regard all arrangement on the subject to be attended with formidable, if not insurmountable obstacles. This is obvious from a letter which his Lordship addressed to Sir William Scott at the time." Here Lord Castlereagh read a letter, contained in the records before him, in which Lord St. Vincent states to Sir William Scott the zeal with which Mr. King had assailed him on the subject of impressment, confesses his own perplexity and total incompetency to discover any practical project for the safe discontinuance of that practice, and asks for counsel and advice. "Thus you see," proceeded Lord Castlereagh, "that the confidence of Mr. King on this subject was entirely unfounded."

Thus it is apparent, that, at no time, has the enemy been willing

to place this subject on a satisfactory footing: I will speak hereafter of the overtures made by administration since the war.

The honorable gentleman from New York (Mr. Bleecker), in the very sensible speech with which he favored the committee, made one observation that did not comport with his usual liberal and enlarged views. It was that those who are most interested against the practice of impressment did not desire a continuance of the war on account of it, whilst those (the southern and western members) who had no interest in it, were the zealous advocates of the American seamen. It was a provincial sentiment unworthy of that gentleman. It was one which, in a change of condition, he would not express, because I know he could not feel it. Does not that gentleman feel for the unhappy victims of the tomahawk in the western country, although his quarter of the Union may be exempted from similar barbarities? I am sure he does. If there be a description of rights which, more than any other, should unite all parties in all quarters of the Union, it is unquestionably the rights of the person. No matter what his vocation; whether he seeks subsistence amidst the dangers of the deep, or draws it from the bowels of the earth, or from the humblest occupations of mechanic life: whenever the sacred rights of an American freeman are assailed, all hearts ought to unite and every arm should be braced to vindicate his cause.

The gentleman from Delaware sees in Canada no object worthy of conquest. According to him, it is a cold, sterile, and inhospitable region. And yet, such are the allurements which it offers, that the same gentleman apprehends that, if it be annexed to the United States, already too much weakened by an extension of territory, the people of New England will rush over the line and depopulate that section of the Union! That gentleman considers it honest to hold Canada as a kind of hostage, to regard it as a sort of bond, for the good behavior of the enemy. But he will not enforce the bond. The actual conquest of the country would, according to him make no impression upon the enemy, and yet the very apprehension only of such a conquest would at all times have a powerful operation upon him! Other gentlemen consider the invasion of that country as wicked and unjustifiable. Its inhabitants are represented as unoffending, connected with those of the bordering states by a thousand tender ties, interchanging acts of kindness, and all the offices of good neighborhood; Canada, said Mr. C. innocent! Canada unoffending! Is it not in Canada that the tomahawk of the savage has been moulded into its deathlike form? From Canadian magazines, Malden and others, that those supplies have been issued which nourish and sustain the Indian hostilities? Supplies which have enabled the savage hordes to butcher the garrison of Chicago, and to commit other horrible murders? Was it not by the joint co-operation of Canadians and Indians that a remote American fort, Michilimackinac, was fallen upon and reduced, in ignorance of a state of war? But sir, how soon have the opposition changed. When administration was striving, by the operation of

peaceful measures, to bring Great Britain back to a sense of justice, they were for old fashioned war. And now that they have got old fashioned war, their sensibilities are cruelly shocked, and all their sympathies are lavished upon the harmless inhabitants of the adjoining provinces. What does a state of war present? The united energies of one people arrayed against the combined energies of another—a conflict in which each party aims to inflict all the injury it can, by sea and land, upon the territories, property and citizens of the other subject only to the rules of mitigated war practised by civilized nations. The gentlemen would not touch the continental provinces of the enemy, nor, I presume, for the same reason, her possessions in the West Indies. The same humane spirit would spare the seamen and soldiers of the enemy. The sacred person of his Majesty must not be attacked, for the learned gentlemen, on the other side, are quite familiar with the maxim, that the King can do no wrong. Indeed, sir, I know of no person on whom we may make war, upon the principles of the honorable gentlemen, but Mr. Stephen, the celebrated author of the orders in council, or the board of admiralty, who authorise and regulate the practice of impressment!

The disasters of the war admonish us, we are told, of the necessity of terminating the contest. If our achievements upon the land have been less splendid than those of our intrepid seamen, it is not because the American soldier is less brave. On the one element organization, discipline, and a thorough knowledge of their duties exist, on the part of the officers and their men. On the other almost every thing is yet to be acquired. We have however the consolation that our country abounds with the richest materials, and that in no instance when engaged in action have our arms been tarnished. At Brownstown and at Queenstown the valor of veterans was displayed, and acts of the noblest heroism were performed. It is true, that the disgrace of Detroit remains to be wiped off. That is a subject on which I cannot trust my feelings, it is not fitting I should speak. But this much I will say, it was an event which no human foresight could have anticipated, and for which administration cannot be justly censured. It was the parent of all the misfortunes we have experienced on land. But for it the Indian war would have been in a great measure prevented or terminated: the ascendancy on lake Erie acquired, and the war pushed perhaps to Montreal. With the exception of that event, the war, even upon the land, has been attended by a series of the most brilliant exploits, which whatever interest they may inspire on this side of the mountains, have given the greatest pleasure on the other. The expedition under the command of Governor Edwards and Colonel Russell, to lake Pioria on the Illinois, was completely successful. So was that of Captain Craig, who it is said ascended that river still higher. General Hopkins destroyed the Prophet's town. We have just received intelligence of the gallant enterprise of Colonel Campbell. In short, sir, the Indian towns have been swept from the mouth to the source of the Wabash, and a hostile

country has been penetrated far beyond the most daring incursions of any campaign during the former Indian war. Never was more cool deliberate bravery displayed than that by Newnan's party from Georgia. And the capture of the Detroit, and the destruction of the Caledonia, (whether placed to our maritime or land account) for judgment, skill, and courage, on the part of Lieutenant Elliott, has never been surpassed.

It is alleged that the elections in England are in favor of the ministry and that those in this country are against the war. If in such a cause (saying nothing of the impurity of their elections) the people of that country have rallied around their government, it affords a salutary lesson to the people here, who at all hazards ought to support theirs, struggling as it is to maintain our just rights. But the people here have not been false to themselves; a great majority approves the war, as is evinced by the recent re-election of the chief magistrate. Suppose it were even true, that an entire section of the Union were opposed to the war, that section being a minority, is the will of the majority to be relinquished? In that section the real strength of the opposition had been greatly exaggerated. Vermont has, by two successive expressions of her opinion approved the declaration of war. In New Hampshire, parties are so nearly equipoised that out of 30 or 35,000 votes, those, who approved and are for supporting it, lost the election by only 1,000 or 1,500. In Massachusetts alone have they obtained any considerable accession. If we come to New York, we shall find that other and local causes have influenced her elections.

What cause, Mr. Chairman, which existed for declaring the war has been removed? We sought indemnity for the past and security for the future. The orders in council are suspended, not revoked; no compensation for spoliations; Indian hostilities, which were before secretly instigated, now openly encouraged; and the practice of impressment unremittingly persevered in and insisted upon. Yet administration has given the strongest demonstrations of its love of peace. On the 29th June, less than ten days after the declaration of war, the Secretary of State writes to Mr. Russell, authorising him to agree to an armistice, upon two conditions only, and what are they? That the orders in council should be repealed, and the practice of impressing American seamen cease, those already impressed being released. The proposition was for nothing more than a *real* truce; that the war should in fact cease on *both* sides. Again on the 27th July, one month later, anticipating a possible objection to these terms, reasonable as they are, Mr. Monroe empowers Mr. Russell to stipulate in general terms for an armistice, having only an informal understanding on these points. In return, the enemy is offered a prohibition of the employment of his seamen in our service, thus removing entirely all pretext for the practice of impressment. The very proposition which the gentleman from Connecticut (Mr. Pitkin) contends ought to be made, has been made. How are these pacific advances met by the other party? Rejected as absolutely inadmissible,

cavils are indulged about the inadequacy of Mr. Russell's powers, and the want of an act of Congress is intimated. And yet the constant usage of nations I believe is, where the legislation of one party is necessary to carry into effect a given stipulation, to leave it to the contracting party to provide the requisite laws. If he fail to do so, it is a breach of good faith, and a subject of subsequent remonstrance by the injured party. When Mr. Russell renews the overture, in what was intended as a more agreeable form to the British government, Lord Castlereagh is not content with a simple rejection, but clothes it in the language of insult. Afterwards, in conversation with Mr. Russell, the moderation of our government is misinterpreted and made the occasion of a sneer, that we are tired of the war. The proposition of Admiral Warren is submitted in a spirit not more pacific. He is instructed, he tells us, to propose that the government of the United States shall instantly recal their letters of marque and reprisal against British ships, together with all orders and instructions for any acts of hostility whatever against the territories of his Majesty or the persons or property of his subjects. That small affair being settled, he is further authorised to arrange as to the revocation of the laws which interdict the commerce and ships of war of his Majesty from the harbors and waters of the United States. This messenger of peace comes with one qualified concession in his pocket, not made to the justice of our demands, and is fully empowered to receive our homage, the contrite retraction of all our measures adopted against his master! And in default, he does not fail to assure us, the orders in council are to be forthwith revived. Administration, still anxious to terminate the war, suppresses the indignation which such a proposal ought to have created, and in its answer concludes by informing Admiral Warren, "That if there be no objection to an accommodation of the difference relating to impressment, in the mode proposed, other than the suspension of the British claim to impressment during the armistice, there can be none to proceeding, *without the armistice*, to an immediate discussion and arrangement of an article on that subject." Thus it has left the door of negotiation unclosed, and it remains to be seen if the enemy will accept the invitation tendered to him. The honorable gentlemen from North Carolina (Mr. Pearson) supposes, that if Congress would pass a law, prohibiting the employment of British seamen in our service, upon condition of a like prohibition on their part, and repeal the act of non-importation, peace would immediately follow. Sir, I have no doubt if such a law were passed, with all the requisite solemnities, and the repeal to take place, Lord Castlereagh would laugh at our simplicity. No, sir, administration has erred in the steps which it has taken to restore peace, but its error has been not in doing too little but in betraying too great a solicitude for that event. An honorable peace is attainable only by an efficient war. My plan would be to call out the ample resources of the country, give them a judicious direction, prosecute the war with the utmost vigor, strike wherever we

can reach the enemy, at sea or on land, and negotiate the terms of a peace at Quebec or Halifax. We are told that England is a proud and lofty nation that, disdainful to wait for danger, meets it half way. Haughty as she is, we once triumphed over her, and if we do not listen to the councils of timidity and despair we shall again prevail. In such a cause, with the aid of Providence, we must come out crowned with success; but if we fail, let us fail like men, lash ourselves to our gallant tars, and expire together in one common struggle, fighting for

“ SEAMENS’ RIGHTS AND FREE TRADE.”



WERTE BOKSLENDING
JAN 1989
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